

PTO/SB/22 (08-03) (AW 10/2003)

Approved for use through 7/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

#21  
E01  
AMDT  
1-30-04

<b>PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)</b>		Docket Number (Optional) MTS-520US4
In re Application of Mitsuaki Oshima, et al.		
Application Number 10/017,965		Filed December 7, 2001
For MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK		
Art Unit 2137	Examiner Paul E. Callahan	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- |                                                                    |          |
|--------------------------------------------------------------------|----------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))             | \$ _____ |
| <input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$420    |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3))          | \$ _____ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))           | \$ _____ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))           | \$ _____ |

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ \_\_\_\_\_.  
 A check in the amount of the fee is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director has already been authorized to charge fees in this application to a Deposit Account.  
 The Director is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account Number 18-0350. I have enclosed a duplicate copy of this sheet.

I am the  applicant/inventor.

- assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).  
 attorney or agent of record. Registration Number: 42,690  
 attorney or agent under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

July 30, 2004

Date

Signature

Jack J. Jankovitz

Typed or Printed Name

07/30/2004 REASON (610) 407-0700

Telephone Number

120.00

<b>CERTIFICATE OF MAILING OR TRANSMISSION</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.			
Name (Print/Type)	Jack J. Jankovitz	Date	7/30/04
Signature			
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.			
<input type="checkbox"/> Total of _____ forms are submitted.			

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission 4

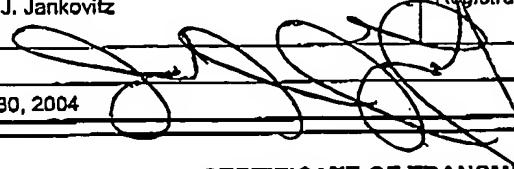
Application Number	10/017,985
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki Oshima, et al.
Art Unit	2137
Examiner Name	Paul E. Callahan
Attorney Docket No.	MTS-520US4

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

## Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual Name	Jack J. Jankovitz	Registration No. (Attorney/Agent)	42,690
Signature			
Date	July 30, 2004		

## CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

Type or printed name	Jack J. Jankovitz	Date	July 30, 2004
Signature			

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 420)

Complete if Known

Application Number	10/017,985
Filing Date	December 7, 2001
First Named Inventor	Mitsuaki Oshima, et al.
Examiner Name	Paul E. Collahan
Art Unit	2137
Attorney Docket No.	520US4

## METHOD OF PAYMENT (check all that apply)

 Check  Credit Card  Money  Other  None  
Order
 Deposit Account (use as backup only):

Deposit Account Number	18-0350
Deposit Account Name	RatnerPrestia

The Director is authorized to: (check all that apply)

- 
- Charge fee(s) indicated below
- 
- 
- Credit any overpayments
- 
- 
- Charge any additional fee(s) or any underpayment of fee(s)
- 
- 
- Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	285	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20**	=	Extra Claims	Fee from below	Fee Paid
		=	[ ]	X [ ]	= [ ]
Independent Claims	-3**	=	[ ]	X [ ]	= [ ]
Multiplic Dependent				X [ ]	= [ ]

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid ** Reissues independent claims over original patent
1204	86	2204	43	** Reissues claims in excess of 20 and over original patent
1205	18	2205	9	

SUBTOTAL (2)

(\$ 0)

\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

## Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	820*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	420
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	280	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,330	2453	665	Petition to revive – unintentional	
1501	1,330	2501	685	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

## Other fee (specify)

\*Reduced by Basic Filing Fee Paid

## SUBTOTAL (3)

(\$420)

## SUBMITTED BY

Name (Print/Type)	Jack I. Jankovitz	Registration No. (Attorney/Agent)	42,690	Telephone	(610) 407-0700
Signature				Date	July 30, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



**RatnerPrestia**  
WE SPECIALIZE IN THE LAW OF CREATIVITY®

**FAX RECEIVED**

JUL 30 2004

Technology Center 2100

Suite 265  
Commerce Corporate Center  
5100 Tilghman Street  
Allentown, PA 18104  
 Phone: 610-530-8100  
 Fax: 610-530-8200

Suite 301, One Westlakes, Berwyn  
P.O. Box 980  
Valley Forge, PA 19482-0980  
Phone: 610-407-0700  
Fax: 610-407-0701

Nemours Building  
1007 Orange Street, Suite 1100  
P.O. Box 1596  
Wilmington, DE 19899  
Phone: 302-778-2500  
Fax: 302-778-2600  
[www.ratnerprestia.com](http://www.ratnerprestia.com)

## **FAX-FILING IN U.S. PATENT & TRADEMARK OFFICE**

DATE: July 30, 2004

TIME: \_\_\_\_\_

TO:	Mr. Pinchus Laufer (703-306-4160)	FAX NO.:	703-305-8266	
Special Programs Review Examiner				
FROM:	Jack J. Jankovitz	ADMIN. ASST.:	D. Spratt	
APPLN. NO.:	10/017,965	ATTY. DOCKET NO.:		MTS-520US4
TITLE OF APPLN.:				MARK FORMING APPARATUS, METHOD OF FORMING LASER MARK ON OPTICAL DISK, REPRODUCING APPARATUS, OPTICAL DISK AND METHOD OF PRODUCING OPTICAL DISK.
FILING DATE:	December 7, 2001	ART UNIT:	2137	
FIRST INVENTOR:	Mitsuaki Oshima, et al.	CONF. NO.:	8891	
TITLE OF DOCUMENT (and List of Attachments): Petition for Extension of Time, Fee Transmittal, Transmittal Form				

Total Number of Pages: 5 (including this form)

### COMMENTS

As requested, enclosed are Petition for Extension of Time, Fee Transmittal, and Transmittal Form.

### **CONFIDENTIAL AND PRIVILEGED ATTORNEY/CLIENT INFORMATION**

This facsimile transmission (and/or documents accompanying it) may contain attorney/client privileged communications and confidential business information that is intended for use only by the individual or company to whom it is addressed. Disclosure, interception, copying or any other use of this transmission by anyone other than any intended recipient is prohibited. If you receive this transmission by mistake, please notify the sender.

**Please notify us immediately if you have not received the number of pages indicated above.**